



Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 44
Comm #: 53190-9999-43-A
BRRTS #: 02-54-096859
Site Name: Whitewater Badgerland Farm Center
Site Address: 12743 State Rd 59, Whitewater, WI 53190
Site Manager: Jim Kralick
Address: 2514 Morse St
City, State Zip: Janesville, WI 53545-0249
Phone: 608-743-4841
e-mail: james.kralick@wisconsin.gov
Bid Manager: Stephen D. Mueller
Address: 101 West Pleasant Street, Suite 100A
City, State Zip: Milwaukee, WI 53212-3963
Phone: (414) 220-5402
e-mail: Stephen.Mueller@Wisconsin.Gov

Bid-Start Date:	July 17, 2006
Questions must be received by (See Section 2 (B)):	July 31, 2006, 4:00 PM
Responses will be posted by (See Section 2 (B)):	August 18, 2006
Bid-End Date and Time:	September 1, 2006, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Action Legal-Madison, 1 E Main, Madison, WI 53703

Phone: (608) 663-1041

Fax: (608) 663-1045

SECTION 2 – Site-Specific Bid Requirements

A) Bid Manager Comments

1) General Comments:

The site is an agricultural cooperative that previously stored and dispensed petroleum products for many years. At least nine aboveground storage tanks (ASTs) of unknown size stored leaded/unleaded gas, diesel fuel, and No.1 and No. 2 fuel oil. The ASTs were permanently removed in 2001. A site investigation was begun in 1996. The stratigraphy across the investigated area consists of a mix of clayey, silty, and sandy intervals to approximately 8 to 10 feet below ground surface (bgs). Dolomite bedrock occurs beneath the unconsolidated sediments. Approximately 90 cubic yards of petroleum-contaminated soil were excavated from the site in 2005. Eight monitoring wells and a piezometer were previously installed and sampled between 1996 and 1999. All nine wells were abandoned in 1999, two years prior to the ASTs being removed. The static water table in the unconsolidated sediments is generally present at between 6 and 8 feet bgs, and is likely perched above the soil/bedrock interface. Groundwater impacts within the dolomite bedrock have not been sufficiently investigated. Groundwater flow appears to be to the northwest. Strong downward vertical gradients have been documented in the past.

PECFA claim preparation (\$500 maximum per claim submittal) and required web reporting costs will be included in the cost cap established by this bid.

2) Minimum Remedial Requirements:

1. Bidders are required to submit a schedule for the completion of all work scope activities outlined in this bid specification, per the requirements of NR 716.09(2)(h). Failure to submit a schedule will make the bid non-compliant with this bid specification. Failure of the responsible party/site owner to adhere to the schedule may result in an enforcement action by the DNR.

In addition, bidders are required to adhere to the general reporting timeframes in Comm 47, Wisconsin Administrative Code, and as listed in Subsection 2 A) 3) of this bid specification. Failure to adhere to the reporting requirements and work scope schedule may result in disqualification of the successful bidder from future PECFA public bidding (see SECTION 5).

2. Install and develop three (3) two-inch diameter monitoring wells and one (1) piezometer to investigate groundwater impacts within the dolomite bedrock. Each monitoring well shall be installed to approximately 22 feet below ground surface (bgs) and have a ten-foot screened interval. The wells are to be installed at the following locations:
 - One well at the approximate former location of boring HA-1/B-4.
 - One well at the approximate former location of temporary well GP-7.
 - One well within 30 to 40 feet northeast of the former location of temporary well GP-4.
 - The piezometer shall be nested with the monitoring well located in the area of GP-4. The piezometer should be installed to a depth of approximately 40 feet bgs and have a five-foot screened interval.

3. One (1) soil analytical sample shall be collected from directly above the soil/bedrock interface when installing the monitoring well located near former boring HA-1. The soil sample shall be laboratory analyzed for petroleum volatile organic compounds (PVOCs) and polynuclear aromatic hydrocarbons (PAHs).
4. Survey the top-of-casing and ground surface elevations and relative positions of all the new monitoring wells to USGS datum and existing and pertinent former site structure/features.
5. Groundwater monitoring shall be conducted for two (2) consecutive quarters, and shall follow the protocol of the following table:

Wells	Sample Quarterly	Final Sampling Round
All new wells and the new piezometer	VOCs and PAHs first round PVOCs second round	RNA Parameters*

* Remediation by Natural Attenuation parameters. Bidders should follow the recommended RNA parameter list found on TABLE 3-1 of the Wisconsin Department of Natural Resources *Interim Guidance on Natural Attenuation for Petroleum Releases*, PUB-RR-614, October 1999.

Groundwater samples shall be collected from all of the designated monitoring wells. If free product is encountered, the DNR and Commerce shall be notified immediately.

6. All contaminated materials generated at this site as part of the bid scope of work must be properly contained and disposed/treated in accordance with State regulations.
7. A report shall be submitted describing and documenting the additional work completed at the site. The report will include, but is not limited to, appropriate maps, tabulated analytical data, lab reports, and all required forms.

The report is to include tabulated results for all historical groundwater analytical results collected during the entire site investigation and all historical groundwater elevation data. Groundwater flow direction and horizontal and vertical gradients shall also be calculated and presented on site plans for each groundwater sampling event. Site plans depicting the extent of residual groundwater contamination shall also be submitted.

While this bid is not to closure, there is a possibility of attaining closure at the conclusion of the scope of work (SOW) conducted under this bid. Upon completion of the SOW discussed above, evaluate site conditions and all historical soil and groundwater analytical data, and evaluate the potential for case closure consistent with the requirements of ch. NR 726, Wis. Adm. Code.

If closure is appropriate, then also prepare and submit a DNR Case Summary & Close Out form and GIS Registry packet for closure consideration by the DNR. The cost for preparing the additional closure report documentation and GIS Registry packet would be incremental to the overall report preparation cost.

The report shall be submitted to the DNR and Commerce **within 30 days** of receiving the laboratory analytical data for the last quarterly groundwater monitoring event.

8. Web reporting (<http://commerce.wi.gov/ER/ER-PECFA-SiteReporting.html>).

Regarding the 2nd Page of the Bid Response:

If necessary, subsequent cost caps may be determined using page 2 following the successful completion of the activities under the initial cost cap. Approval shall be obtained through a request to Commerce (the DNR Project Manager shall be copied) for a change order. The request shall include total costs incurred to date under the existing cap. The subsequent cost cap amount may be adjusted up (or down, if for example, case closure is not appropriate) based on the outcome of the specified work activities.

3) Reporting Timeframes:

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

4) Claim Submittal:

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. Claim preparation costs

must be included in the Total Bid Amount and is considered within the reimbursement cap.

B) Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 3 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 4 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to

notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 5 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

- 1) Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
- 2) Failed to complete the scope of work in a bid in a timely manner.
- 3) Failed to follow DNR rules on the bid project.
- 4) Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
- 5) In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
- 6) Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
- 7) Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Whitewater Badgerland Farm Center
COMMERCE #: 53190-9999-43-A
BRRTS #: 02-54-096859

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed above. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE
(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Whitewater Badgerland Farm Center
COMMERCE #: 53190-9999-43-A
BRRTS #: 02-54-096859

Consulting Firm Name: _____

A bid will be considered to be non-complaint if the bid response does not include separate tabulation of cost for each activity.

1	Work schedule	N/A
2	Installation and development of 3 monitoring wells, 1 piezometer	\$
3	Soil sampling and PVOC and PAH laboratory analysis	\$
4	Surveying of all new monitoring wells	\$
5	Two quarterly rounds of groundwater sampling and PVOC and PAH laboratory analysis	\$
6	Contaminated waste disposal	\$
7a	Report preparation	\$
7b	DNR Case Summary & Close Out form and GIS Registry packet	\$
8	Web reporting	\$
	PECFA Claim Preparation	\$
	Total Bid Amount	\$